

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DORA DAVIS,)
Plaintiff,)
v.) Civil Action No. 2:05cv01040-WKW
ALBANY INTERNATIONAL,)
JEFF JOHNSTON)
Defendants.)

ALBANY'S UNOPPOSED MOTION TO CONTINUE TRIAL

Defendant Albany International Corp. ("Albany") respectfully request that the trial of this matter, currently scheduled for the trial term beginning November 6, 2006, be continued. The grounds on which this unopposed motion is based are as follows:

1. Teamsters Local Union 612, Affiliated with International Brotherhood of Teamsters, is the collective bargaining agent for Albany's employees at its Montgomery, Alabama facility. The current Collective Bargaining Agreement between Albany and the Teamsters expires November 14, 2006. A copy of the Collective Bargaining Agreement is attached hereto as Exhibit A.
2. Ted Bryant is Albany's Human Resources Manager in Montgomery. In that capacity, Mr. Bryant will be an active and necessary participant in the Company's negotiations with the Teamsters for a new Collective Bargaining Agreement to replace the current agreement which, as noted previously, expires on November 14, 2006. Negotiations are ongoing between the Company and the Teamsters with additional bargaining sessions scheduled on the following dates: October 24-25 and November 8-

10. Assuming that negotiations go smoothly, a vote on a new contract would likely occur on November 13, 2006.

3. In addition to his responsibilities during the collective bargaining negotiations, Mr. Bryant is scheduled to be Albany's representative during the trial of this matter, and he will be required to testify as he is a necessary witness with respect to many of Plaintiff's allegations. Due to the scheduling conflicts, it will be impossible for Mr. Bryant to adequately carry out his responsibilities both as a witness in this case and in the collective bargaining process.

4. In addition to Mr. Bryant's scheduling conflicts, undersigned counsel has been selected by the Alabama Association of Fundraising Professionals as The Community Foundation of Greater Birmingham Outstanding Professional Advisor for 2006. The award ceremony is scheduled during the AFP's Annual Philanthropy Day luncheon on Tuesday, November 14, 2006. The ceremony is to be held in Birmingham. Although this event would not preclude undersigned counsel's attendance on any other day during the trial term, undersigned counsel would respectfully request relief from trial on November 14.

5. Trina Williams, counsel for Plaintiff, has been consulted and has no objection to the continuance of this matter.

6. Lynlee Wells Palmer, counsel for Co-Defendant Jeff Johnston, has been consulted and has no objection to the continuance of this matter.

In light of the forgoing, Defendant Albany International Corp. respectfully requests that the trial of this matter be continued.

Respectfully submitted,

s/ Charles A. Powell IV

Charles A. Powell IV

Attorney for Defendant

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been served on the following counsel of record via U.S. mail and electronic mail, on October 13, 2006.

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